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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte ALEXANDRE LEBRUN

Appeal 2018-005801¹
Application 14/686,771²
Technology Center 2600

Before JASON V. MORGAN, JAMES B. ARPIN, and NABEEL U. KHAN,
Administrative Patent Judges.

ARPIN, *Administrative Patent Judge.*

DECISION ON APPEAL

Appellant appeals under 35 U.S.C. § 134(a) from the Examiner’s final rejection of claims 1–15. Final Act. 3–7; App. Br. 6. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

¹ In this Decision, we refer to Appellant’s Appeal Brief (“App. Br.,” filed January 29, 2018) and Reply Brief (“Reply Br.,” filed May 18, 2018); the Final Office Action (“Final Act.,” mailed July 12, 2017); the Examiner’s Answer (“Ans.,” mailed March 19, 2018); and the originally-filed Specification (“Spec.,” filed April 14, 2014). Rather than repeat the Examiner’s findings and determinations and Appellant’s contentions in their entirety, we refer to these documents.

² Appellant asserts Facebook, Inc., is the real party-in-interest. App. Br. 2.

STATEMENT OF THE CASE

Appellant’s claimed methods and computer-readable media “relate[] in general to the field of natural language processing, and in particular to an email-like user interface and a crowd-source based network for configuring and training a natural language system interfaced with a runtime system or application..” Spec. ¶ 2.

As noted above, claims 1–15 are pending. Claims 1 and 9 are independent. App. Br. 12–13 (claim 1), 14–15 (claim 9) (Claims App.). Claims 2–8 depend directly or indirectly from claim 1, and claims 10–15 depend directly or indirectly from claim 9. *Id.* at 12–16.

Claim 1, reproduced below, is representative.

1. A computer-implemented method comprising:

maintaining, by a configuration system, a plurality of natural language (NL) instances, each NL instance developed by one or more developers and comprising 1) a set of training data and 2) a prediction model that predicts a user-desired application function based on a NL query, the set of training data being used to train the prediction model of each NL instance by mapping application functions to NL queries;

receiving, by the configuration system, one or more linking requests from the one or more developers to link NL instances to other NL instances of the plurality of NL instances, each of the one or more developers in communication with the configuration system via a network and at least one of the one or more developers being separate from the configuration and other developers of the one or more developers;

linking, by the configuration system, one or more NL instances of the plurality of NL instances to one or more other NL instances of the plurality of NL instances responsive to the received linking requests; and

training, by the configuration system, each of the NL instances of the plurality of NL instances using:

- (1) the set of training data for the NL instance, and
- (2) each set of training data for other NL instances to which the NL instance is linked;

for each of one or more of the plurality of NL instances:

receiving, from a client device of a user, an NL query corresponding to an application request for the NL instance to provide a user-desired application function based on the NL query,

using the prediction model for the NL instance to determine an application function according to the prediction model, and

responding to the NL query of the user by providing the determined application function to the client device.

Id. at 12–13. The Specification does not define an “instance,” however, we understand an instance to be “[a]n object, in object-oriented programming, in relation to the class to which it belongs. For example, an object *myList* that belongs to a class *List* is an instance of the class *List*.” MICROSOFT COMPUTER DICTIONARY, 276 (5th ed. 2002). “In object-oriented programming, [an object is] a variable comprising both routines and data that is treated as a discrete entity.” *Id.* at 372; *see* Spec. ¶ 6 (“Each NL instance includes a set of training data and a prediction model as part of an NL configuration system that predicts a user-desired application function based on an NL query.”).

REJECTION

The Examiner rejects claims 1–15 under 35 U.S.C. § 101 as directed to patent ineligible subject matter. Final Act. 3–7. We review the appealed rejection for error based upon the issues identified by Appellant, and in light of the arguments and evidence produced thereon. *Ex parte Frye*, 94 USPQ2d 1072, 1075 (BPAI 2010) (precedential). Arguments not made are

waived. *See* 37 C.F.R. § 41.37(c)(1)(iv). Unless otherwise indicated, we adopt the Examiner’s findings in the Final Action and the Answer as our own and add any additional findings of fact for emphasis. For the reasons given below, we sustain the Examiner’s rejection.

ANALYSIS

Patent Ineligible Claims

A. Section 101

An invention is patent-eligible if it claims a “new and useful process, machine, manufacture, or composition of matter.” 35 U.S.C. § 101.

However, the U.S. Supreme Court has long interpreted 35 U.S.C. § 101 to include implicit exceptions: “[l]aws of nature, natural phenomena, and abstract ideas” are not patentable. *E.g.*, *Alice Corp. v. CLS Bank Int’l*, 573 U.S. 208, 216 (2014).

In determining whether a claim falls within an excluded category, we are guided by the Court’s two-part framework, described in *Mayo* and *Alice*. *Id.* at 217–18 (citing *Mayo Collaborative Servs. v. Prometheus Labs., Inc.*, 566 U.S. 66, 75–77 (2012)). In accordance with that framework, we first determine what concept the claim is “directed to.” *See Alice*, 573 U.S. at 219 (“On their face, the claims before us are drawn to the concept of intermediated settlement, *i.e.*, the use of a third party to mitigate settlement risk.”); *see also Bilski v. Kappos*, 561 U.S. 593, 611 (2010) (“Claims 1 and 4 in petitioners’ application explain the basic concept of hedging, or protecting against risk.”). According to the Court, concepts determined to be abstract ideas and, thus, patent ineligible, include certain methods of organizing human activity, such as fundamental economic practices (*Alice*, 573 U.S. at 219–20; *Bilski*, 561 U.S. at 611); mathematical formulas (*Parker v. Flook*,

437 U.S. 584, 594–95 (1978)); and mental processes (*Gottschalk v. Benson*, 409 U.S. 63, 67 (1972)).

In *Diamond v. Diehr*, the claim at issue recited a mathematical formula, but the Court held that “[a] claim drawn to subject matter otherwise statutory does not become nonstatutory simply because it uses a mathematical formula.” *Diamond v. Diehr*, 450 U.S. 175, 187 (1981). Having said that, the Court also indicated that a claim “seeking patent protection for that formula in the abstract . . . is not accorded the protection of our patent laws, . . . and this principle cannot be circumvented by attempting to limit the use of the formula to a particular technological environment.” *Id.* at 191 (citing *Benson* and *Flook*). Nevertheless, the Court noted that “[i]t is now commonplace that an *application* of a law of nature or mathematical formula to a known structure or process may well be deserving of patent protection.” *Id.* at 187; *see also* *BASCOM Global Internet Services, Inc. v. AT&T Mobility LLC*, 827 F.3d 1341, 1352 (Fed. Cir. 2016) (Even if the individual components were known, “an inventive concept can be found in the ordered combination of claim limitations that transform the abstract idea of filtering content into a particular, *practical application* of that abstract idea” (emphasis added)).

If the claim is “directed to” an abstract idea, we next “must examine the elements of the claim to determine whether it contains an ‘inventive concept’ sufficient to ‘transform’ the claimed abstract idea into a patent-eligible application.” *Alice*, 573 U.S. at 221 (quotation marks omitted). “A claim that recites an abstract idea must include ‘additional features’ to ensure ‘that the [claim] is more than a drafting effort designed to monopolize the [abstract idea].’” *Id.* (alterations in original) (quoting *Mayo*,

566 U.S. at 77). “[M]erely requir[ing] generic computer implementation[] fail[s] to transform that abstract idea into a patent-eligible invention.” *Id.*

B. Office Patent Eligibility Guidance

In an effort to achieve clarity and consistency in how the Office applies the Court’s two part test, the Office published revised guidance on the application of § 101. *2019 Revised Patent Subject Matter Eligibility Guidance*, 84 Fed. Reg. 50 (Jan. 7, 2019).³ In Step One of our analysis, we look to see whether the claims, as written, fall within one of the four statutory categories identified in § 101. *Id.* at 53 (“Examiners should determine whether a claim satisfies the criteria for subject matter eligibility by evaluating the claim in accordance with the criteria discussed in MPEP 2106, *i.e.*, whether the claim is to a statutory category (Step 1) and the *Alice/Mayo* test for judicial exceptions (Steps 2A and 2B)”).

Under the guidance, we then look to whether the claim recites:

- (1) Step 2A – Prong One: any judicial exceptions, including certain groupings of abstract ideas (*i.e.*, mathematical concepts, certain methods of organizing human activity, such as a fundamental economic practice, or mental processes); and
- (2) Step 2A – Prong Two: additional elements that integrate the judicial exception into a practical application (*see* MPEP⁴ § 2106.05(a)–(c), (e)–(h)).

³ This guidance supersedes previous guidance memoranda. *See 2019 Revised Patent Subject Matter Eligibility Guidance*, 84 Fed. Reg. at 51 (“All USPTO personnel are, as a matter of internal agency management, expected to follow the guidance.”).

⁴ All Manual of Patent Examining Procedure (“MPEP”) citations herein are to MPEP, Rev. 08.2017, January 2018.

See 2019 Revised Patent Subject Matter Eligibility Guidance, 84 Fed. Reg. at 54–55 (“Revised Step 2A”).

Only if a claim (1) recites a judicial exception *and* (2) does not integrate that exception into a practical application, do we then look to whether the claim:

(3) adds a specific limitation beyond the judicial exception that is not “well-understood, routine, conventional” in the field (*see* MPEP § 2106.05(d)); or

(4) simply appends well-understood, routine, conventional activities previously known to the industry, specified at a high level of generality, to the judicial exception.

See id. at 56 (“*Step 2B: If the Claim Is Directed to a Judicial Exception, Evaluate Whether the Claim Provides an Inventive Concept.*”).

C. Step One – Claims Directed to Statutory Categories

Appellant’s independent claims 1 and 9, and their associated dependent claims, are directed to methods (i.e., “processes”) and computer-readable media (i.e., “articles of manufacture”) respectively. App. Br. 12–16 (Claims App.). Thus, the pending claims are directed to recognized statutory categories. Final Act. 3.

Despite being directed to a different statutory category, the limitations of claim 9 closely track those of claim 1. *See* Final Act. 3–4 (noting the similarities between the independent claims). Therefore, we focus our analysis on the limitations of claim 1. *See also Accenture Global Servs. GmbH v. Guidewire Software, Inc.*, 728 F.3d 1336, 1341 (Fed. Cir. 2013) (“Although CLS Bank issued as a plurality opinion, in that case a majority of the court held that system claims that closely track method claims and are

grounded by the same meaningful limitations will generally rise and fall together.”) (citation omitted).

D. Two-Part Alice/Mayo Test

1. Step 2A, Prong One – Claims “Directed To” Abstract Idea

Applying the first part of the *Alice/Mayo* analysis (Step 2A), the Examiner concludes claim 1 recites the abstract idea of “performing data manipulation.” Final Act. 6. In particular, the Examiner finds the steps of the computer implemented method of claim 1 map to this abstract idea. Ans. 4–6; *see* Final Act. 3.

The Examiner finds that the abstract idea recited in claim 1 is similar to abstract ideas identified by the courts. In particular, the Examiner finds that the abstract idea is “similar to ‘organizing information through mathematical correlations’ ([*Digitech Image Tech., LLC v. Electronics for Imaging, Inc.*, 758 F.3d 1344, 1348 (Fed. Cir. 2014)]), ‘Collecting, displaying, and manipulating data’ ([*Intellectual Ventures I LLC v. Capital One Financial Corp.*, 850 F.3d 1332, 1340 (Fed Cir. 2017)]) and ‘Collecting information, analyzing it, and displaying certain results of the collection and analysis’ ([*West View Research LLC v. Audi AG*, 685 Fed. App’x 923, 926 (Fed Cir. 2017) (quoting *Electric Power Grp., LLC v. Alstrom S.A.*, 830 F.3d 1350, 1353 (Fed. Cir. 2016))]), each of which the courts have found to be abstract.” Final Act. 3–4; *see* Ans. 6 (citing *Electric Power Grp.*).

Appellant disagrees and contends:

As recited in the claims, a natural language (NL) instance includes “a set of training data and a prediction model that predicts a user-desired application function based on a NL query, [where] the set of training data [is] used to train the prediction model of each NL instance.” [Spec. ¶ 6.] Training a machine

learned model using training data (i.e., a plurality of NL instances) and then using the trained model to output a command to a software application is solely in the field of computer science, and there is no non-technical analog to this. Such actions do not describe an abstract concept, or a concept similar to those found by the courts to be abstract, such as those identified by the examiner.

App. Br. 7–8. We disagree

Claim 1 broadly recites the limitations of (1) storing data (“maintaining . . . a plurality of natural language (NL) instances, each NL instance developed by one or more developers and comprising 1) a set of training data and 2) a prediction model that predicts a user-desired application function based on a NL query, the set of training data being used to train the prediction model of each NL instance by mapping application functions to NL queries”); (2) receiving additional data (“receiving . . . one or more linking requests from the one or more developers to link NL instances to other NL instances of the plurality of NL instances, each of the one or more developers in communication with . . . at least one of the one or more developers being separate from the configuration and other developers of the one or more developers”); (3) modifying data by linking it to related data (“linking . . . one or more NL instances of the plurality of NL instances to one or more other NL instances of the plurality of NL instances responsive to the received linking requests”); (4) modifying the data further by “*training*”⁵ the instances (“training . . . each of the NL instances of the

⁵ Claim 1 does not specify how “training” is accomplished, but instead focuses on what is used to perform the “training” step. The Specification does not explain what is done to perform the step of “training,” but, instead, also focuses on what is used to train and the environment in which training occurs. *See* Spec. ¶ 26.

plurality of NL instances using: (1) the set of training data for the NL instance, and (2) each set of the training data for any other NL instances to which the NL instance is linked”); (5) receiving additional data (“receiving . . . an NL query corresponding to an application request for the NL instance to provide a user-desired application function based on the NL query”); (6) analyzing the received data (“using the prediction model for the NL instance to determine an application function according to the prediction model”); and displaying results of the analysis (“responding to the NL query of the user by providing application request with the determined application function . . .”). *See* Ans. 4–6; App. Br. 12–13 (Claims App.). Claim 1 does not restrict the nature of the natural language instance prediction models, and, therefore, claim 1 does not preclude the steps directed to training the natural language instances and using them to determine an application function from encompassing “steps people go through in their minds, or by mathematical algorithms, without more.” *Electric Power Grp.*, 830 F.3d at 1354. Thus, we agree with the Examiner that the focus of this claim is on collecting information, modifying it, analyzing it, and displaying certain results of the collection, modification, and analysis. Ans. 6; *see Electric Power Grp.*, 830 F.3d. at 1353.

Claim 1’s limitations, under their broadest reasonable interpretation, recite the abstract idea of “managing personal behavior or relationships or interactions between people (including social activities, teaching, and following rules or instructions),” which falls within the broader category of “[c]ertain methods of organizing human activity.” *2019 Revised Patent Subject Matter Eligibility Guidance*, 84 Fed. Reg. at 52; *see* Spec. ¶ 5 (“The developer platform’s inbox allows for minimizing the number of *human*

interactions required to improve the quality and accuracy of an NL configuration system in processing natural language expressions.” (emphasis added)); *see also* Reply Br. 3 (“[T]he claimed method *allows* a Natural Language (NL) configuration system *to provide a collaboration platform* where developers configure and optimize their natural language systems by leveraging the work and prediction model training data of other developers when generating and configuring their own prediction models.” (emphases added)).⁶ Thus, we determine that the rejected claims recite an abstract idea, namely “[c]ertain methods of organizing human activity.” *See* Final Act. 3, 6; Ans. 4–6; *2019 Revised Patent Subject Matter Eligibility Guidance*, 84 Fed. Reg. at 52.

2. Step 2A, Prong Two – Abstract Idea Not Integrated Into Practical Application

The method recites that its various steps are performed “by a configuration system,” that communications with the configuration system or the one or more developers are sent “via a network,” and that NL requests are sent from and responses are received at a “client device.” App. Br. 12–13 (Claims App.). Applying the second part of the *Alice/Mayo* analysis,⁷ the Examiner finds

⁶ Although the method of claim 1 may broadly encompass a “collaboration platform,” we note the recited steps do not require “collaboration.” By the claim’s language, the recited method requires only “one” developer. *See, e.g.,* App. Br. 12 (Claims App.) (claim 1 reciting “one or more developers”).

⁷ We acknowledge that some of the considerations at Step 2A, Prong Two, properly may be evaluated under Step 2 of *Alice* (Step 2B of the Office guidance). For purposes of maintaining consistent treatment within the Office, we evaluate those considerations under first part of the *Alice/Mayo*

the additional elements in the independent claims are the non-transitory computer readable storage medium and that the method is computer implemented, which appear to be “adding the words [‘]apply it[‘] (or an equivalent) with the judicial exception, or mere instructions to implement an abstract idea on a computer;” and “simply appending well-understood, routine and conventional activities previously known to the industry, specified at a high level of generality, to the judicial exception”[.]

Final Act. 4 (citation omitted); *see* Ans. 6–7 (“The computer is being used as a tool, rather than being improved by the invention.”). Further, the Specification discloses that the additional, recited elements are generic. *See* Spec. ¶¶ 3 (“Enabling voice control requires a natural language system in addition to a speech recognition system, which translate speech into textual input. The natural language system is capable of processing a user’s natural expression into program code that the device’s runtime system or an application running on the device understands.”), 18 (a user’s device “e.g., a smart phone, tablet computer, laptop computer, personal computer, navigation system, security system, etc.”), 24 (“In some embodiments, machine-learning techniques include supervised, semi-supervised, or unsupervised semi-supervised machine-learning algorithms *that are well known in the art*” (emphasis added).), 72 (“Embodiments of the invention may also relate to an apparatus for performing the operations herein. This apparatus may be specially constructed for the required purposes, *and/or it may comprise a general-purpose computing device* selectively activated or reconfigured by a computer program stored in the computer. Such a computer program may be stored in a tangible computer readable storage

analysis (Step 2A of the Office guidance). *See 2019 Revised Patent Subject Matter Eligibility Guidance*, 84 Fed. Reg. at 55 n.25, 27–32.

medium or any type of media suitable for storing electronic instructions, and coupled to a computer system bus” (emphases added).). Thus, the method of claim 1 merely recites generic hardware and machine-learning techniques and algorithms, and the recited method is not linked to any particular machine (MPEP § 2106.05(b)) and merely applies generic computer hardware and software to perform the abstract idea (MPEP § 2106.05(f)). *See 2019 Revised Patent Subject Matter Eligibility Guidance*, 84 Fed. Reg. at 55 n.27, 30.

Appellant contends that the recited method is “necessarily rooted in computer technology” and that there is no non-technological analog to the recited method. App. Br. 7–8, 9; Reply Br. 3–4. In particular, Appellant contends that

the claims recite a process that allows the NL configuration system to provide a collaboration platform where developers configure and optimize their natural language systems by leveraging the work and prediction model training data of other developers when generating and configuring their own prediction models. This minimizes the time and data required to improve the quality and accuracy of one single system and provides a network effect to quickly reach a critical mass of data sufficient for launching a system.

App. Br. 8. Nevertheless, as noted above, the recited method only requires “one” developer. *See supra* note 6. Thus, the work of “other” developers need not be present in the recited method, and the alleged leveraging benefits may not be attained. *See* Reply Br. 5 (discussing the benefits of crowdsourcing).

Appellant further contends the method recites “linking . . . one or more NL instances of the plurality of NL instances to one or more other NL

instances of the plurality of NL instances responsive to the received linking requests.” App. Br. 12. Appellant asserts that

linking their applications to one or more other applications allows the developer to further train and refine their individual prediction model using the NL inputs and corresponding application outputs of other applications.

This is not an abstract concept, and the claims are not limited to training the data itself. For example, the claims additionally recite the training and subsequent use of the model to invoke software functionality.

App. Br. 8–9. The invocation of software functionality here does not, however, apply or use the judicial exception in some other meaningful way beyond generally linking the use of the judicial exception to a particular technological environment. *See 2019 Revised Patent Subject Matter Eligibility Guidance*, 84 Fed. Reg. at 55 n.29; *see also* Ans. 6 (“There is nothing inherently computer related or technical in the concept of selectively sharing data for use in training a mathematical model and it is something that can be executed by a person with pen and paper.”).

Further, the step of “responding to the NL query of the user by providing the determined application function to the client device” is merely insignificant, extra-solution activity associated with the implementation of the abstract idea. Ans. 5–6; *see* MPEP § 2106.05(g), *2019 Revised Patent Subject Matter Eligibility Guidance*, 84 Fed. Reg. at 55 n.31. Appellant does not contend that the recited method transforms or reduces a particular article to a different state or thing. *See* MPEP § 2106.05(c); *2019 Revised Patent Subject Matter Eligibility Guidance*, 84 Fed. Reg. at 55 n.28.

Finally, Appellant contends that claim 1 is similar to a hypothetical claim 1 identified as eligible in the Office’s Patent Eligibility Example 1

(Isolating and Removing Malicious Code from Electronic Messages).⁸ That hypothetical claim, however, recited a method comprising steps for physically isolating a received communication on a memory sector and extracting malicious code from that communication to create a clean communication in a new data file. Thus, unlike the present claim, which is directed toward establishing links between data and performing unspecified “teaching,” the hypothetical method is directed towards isolating a communication, parsing it (e.g., transforming it) into a clean communication and an infected portion, and, thereby, eradicating computer viruses, worms, and other malicious code; an application inextricably tied to computer technology and distinct from concepts found abstract by the courts. The Examiner finds that the method of rejected claim 1 “is far more similar to the concept in Electric Power Group and West View Research (i.e. ‘Collecting information, analyzing it, and displaying certain results of the collection and analysis’) than it is to the example cited by the Appellant.”

Ans. 6. We agree with the Examiner.

In view of Appellant’s Specification and the identified prior art and consistent with the Examiner’s determinations, we are persuaded the rejected claims do not recite:

- (i) an improvement to the functioning of a computer;
- (ii) an improvement to another technology or technical field;
- (iii) an application of the abstract idea with, or by use of, a particular machine;
- (iv) a transformation or reduction of a particular article to a different state or thing; or
- (v) other meaningful limitations beyond generally linking the use of the abstract idea to a particular technological

⁸ https://www.uspto.gov/sites/default/files/documents/abstract_idea_examples.pdf.

environment.

See MPEP § 2106.05(a)–(c), (e)–(h). Thus, we conclude that the rejected claims do not integrate the judicial exception into a practical application and that the claims are directed to an abstract idea.

3. *Step 2B – Not Significantly More Than the Abstract Idea*

Because we find that the claims are directed to an abstract idea and do not integrate that abstract idea into a practical application, we now consider whether the claims include additional limitations, such that the claims amount to significantly more than the abstract idea. As noted above, applying second part of the *Alice/Mayo* test, the Examiner concludes, “[a]ll of the identified additional elements taken into consideration individually and in combination fail to amount to significantly more than the abstract idea above.” Final Act. 4; Ans. 7–8. We agree.

The Specification does not assert that any of the recited components, alone or in combination, are novel. On the contrary, the Specification makes clear that the components and techniques recited in the rejected claims are well-understood, routine, and conventional. See Spec. ¶¶ 3, 18, 24, 72.

As discussed above, Appellant contends

the claimed solution is a crowdsourcing based community platform where application developers can leverage the training data of other developers to refine the prediction models of their applications. Claim 1 additionally specifies that “*each of the one or more developers [are] in communication with the configuration system via a network and at least one of the one or more developers [is] separate from the configuration and other developers of the one or more developers.*” The examiner has continuously ignored the fact that the definition of an NL instance as recited in the claims alone firmly places the claims in a computing environment. Accordingly, the Answer has failed to

recognize the inherent nature of the internet in the claims under appeal.

Reply Br. 5 (emphases added). As noted above, however, the language of claim 1 does not require a plurality of developers; only “one” developer is needed to satisfy the claim language. *In re Morris*, 127 F.3d 1048, 1056 (Fed. Cir. 1997) (“It is the applicants’ burden to precisely define the invention, not the USPTO’s.”). Therefore, we find Appellant’s contentions unpersuasive. We agree with the Examiner that the additional limitations in claim 1, individually or as an ordered combination, do not amount to significantly more than an abstract idea.

On this record, we agree with the Examiner that the independent claim 1, as well as independent claim 9, is directed to an abstract idea and fails to recite “significantly more” than the identified abstract idea. Thus, we are not persuaded that the Examiner erred in determining that these claims are patent ineligible, and we sustain those rejections. Appellant do not argue the eligibility of the dependent claims separately, and we find that the dependent claims fall with their base claims. *See* Final Act. 4 (addressing the patent eligibility of the dependent claims). Therefore, we also sustain the patent ineligibility rejections to the dependent claims.

CONCLUSIONS

1. The Examiner did not err in rejecting claims 1–15 under 35 U.S.C. § 101, as directed to patent-ineligible subject matter.
2. Claims 1–15 are not patentable.

DECISION

We affirm the Examiner’s rejections of claims 1–15.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED